

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SUSAN A. BAYER	:	CIVIL ACTION
	:	
v.	:	
	:	
FLUOR CORP., et al.	:	NO. 09-3107

ORDER

AND NOW, this 28th day of January, 2010, upon consideration of the motion to dismiss of Connecticut General Life Insurance Co. ("CGLIC"), Life Insurance Co. of North America ("LINA"), and CIGNA Group Insurance ("CIGNA") (collectively "CGLIC Defendants") (docket entry # 9), the plaintiff's response thereto (docket entry # 20), the CGLIC Defendants' reply (docket entry # 31), the motion to dismiss and motion for summary judgment of Marsh US Consumer Connexions ("Marsh") (docket entry # 21), the plaintiff's response thereto (docket entry #27), Marsh's reply (docket entry # 32), the motion to dismiss of the Fluor Corporation, the Fluor Corporation Salaried Employees' Defined Retirement Plan, and the Fluor Corporation Benefits Administrative Committee (collectively "Fluor Defendants") (docket entry # 23), the plaintiff's response thereto (docket entry # 35), and in accordance with the accompanying Memorandum, it is hereby ORDERED that:

1. The CGLIC Defendants' motion to dismiss Count I (docket entry # 9) is GRANTED as to LINA and the LINA policy but DENIED as to the CGLIC policy;

2. The CGLIC Defendants' motion to dismiss the claims against them in Counts IV, V, VI, and IX (docket entry # 9) is GRANTED AS UNOPPOSED;

3. Marsh's motion to dismiss (docket entry # 21) is DENIED;

4. Marsh's motion for summary judgment (docket entry # 21) is GRANTED as to all counts against Marsh;

5. The Fluor Defendants' motion to dismiss Count I (docket entry # 23) is GRANTED;

6. The Flour Defendants' motion to dismiss Counts II, III, IV, V, and VI (docket entry # 23) is GRANTED AS UNOPPOSED;

7. Count I is DISMISSED as to LINA and the LINA policy;

8. Count I is DISMISSED against the Fluor Defendants;

9. Counts II, III, IV, V, and IX are DISMISSED; and

10. Count VI is DISMISSED as to the Fluor Defendants  
and CGLIC Defendants.

BY THE COURT:

\_\_\_\s\Stewart Dalzell